

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

May 3, 1999

LB 870

SPEAKER KRISTENSEN: Senator Dierks.

SENATOR DIERKS: Thank you, Mr. Speaker. I would like to ask Senator Schrock a question, please.

SPEAKER KRISTENSEN: Senator Schrock. Senator Schrock, would you respond?

SENATOR SCHROCK: Yes.

SENATOR DIERKS: Senator Schrock, I want you to tell me how you think...specifically, how you think this amendment affects an applicant for a hog facility? Are you thinking about...you said "extra hoops". Are you talking about the municipality or the county or both? How would the municipality have anything to do with it when their jurisdiction runs out maybe a mile and a half, two miles from town?

SENATOR SCHROCK: Well, that may or may not be the case, Senator Dierks, depending on interpretation by the courts in this state on a case that's already pending in front of the Nebraska Supreme Court. But I would remind you, in this bill, that when the department gets an application they have five days to notify the natural resources district and five days to notify the county. And I think we've got plenty of safeguards in here right now, Senator Dierks.

SENATOR DIERKS: But I...I'm still trying to figure out how, with...you're telling me we have local control because the counties have planning commissions or zoning commissions.

SENATOR SCHROCK: Certainly, if the "countings" have...if the counties have zonings right now, they have to meet all those zoning requirements.

SENATOR DIERKS: Before the DEQ comes in.

SENATOR SCHROCK: I'm not quite sure.

SENATOR DIERKS: The other thing I wonder about and, Senator Wehrbein, I would like to ask you, how can your zoning